

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

OCT - 2 2006

FILED CLERK'S OFFICE

### **DOCKET NO. 1657**

#### BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY 8:06.0574 **9**:06.03207 8:06.0583 4:06.03210 (SEE ATTACHED SCHEDULE) 8:06.0591

**LITIGATION** 

## CONDITIONAL TRANSFER ORDER (CTO-66)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,433 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

OCT - 5 2006

OFFICE OF THE CLERK

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PAGE 1 of 4

# SCHEDULE CTO-66 - TAG-ALONG ACTIONS DOCKET NO. 1657 IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A. #	CASE CAPTION
ALABAMA NORTHERN ALN 2 06-1785 ALN 4 06-1668 ALN 4 06-1793 ALN 5 06-1792 ALN 5 06-1794 ALN 5 06-1795 ALN 7 06-1784	Margaret D. Collins, et al. v. Merck & Co., Inc. Robert D. Ramsey v. Merck & Co., Inc., et al. John E. Kemp, et al. v. Merck & Co., Inc. A. Glenn Allen, et al. v. Merck & Co., Inc. Stanley O. Preston, et al. v. Merck & Co., Inc. M. Linda G. Webb v. Merck & Co., Inc. Patricia Stokes v. Merck & Co., Inc.
CALIFORNIA EASTERN CAE 2 06-1957 CAE 2 06-1973 CAE 2 06-1977 CAE 2 06-1978	Maximo Rivera v. Merck & Co., Inc., et al. Linda Chamberlain v. Merck & Co., Inc., et al. Kap Sook Choi v. Merck & Co., Inc., et al. Witold Kolankowski v. Merck & Co., Inc., et al.
CALIFORNIA NORTHERN CAN 3 06-5534	William C. Mullins v. Merck & Co., Inc., et al.
CONNECTICUT CT 3 06-1363	Margaret A. Allahand, et al. v. Merck & Co., Inc.
FLORIDA MIDDLE FLM 3 06-792 FLM 3 06-798 FLM 8 06-1619	Arphine Anderson, etc. v. Merck & Co., Inc. Leo Leonard, et al. v. Merck & Co., Inc. Vicky Larsen v. Merck & Co., Inc., et al.
FLORIDA SOUTHERN FLS 1 06-22291 FLS 2 06-14214 FLS 2 06-14232	Lilia Fernandez v. Merck & Co., Inc. Jack Hawkins v. Merck & Co., Inc., et al. Donald Snapp v. Merck & Co., Inc.
GEORGIA NORTHERN GAN 4 06-200	Judith Campione, et al. v. Merck & Co., Inc.
HAWAII HI 1 06-487 HI 1 06-493	David Shiel v. Merck & Co., Inc. Michael Wall v. Merck & Co., Inc.
IDAHO ID 2 06-356 ID 2 06-357 ID 2 06-358 ID 2 06-375	Philip Ruff v. Merck & Co., Inc. Elbert Pierce, et al. v. Merck & Co., Inc. Kurt Williams v. Merck & Co., Inc. James H. Loe v. Merck & Co., Inc.
ILLINOIS NORTHERN ILN 1 06-4735 ILN 1 06-4737 ILN 1 06-4941	Maureen McMahon v. Merck & Co., Inc. James Vertucci v. Merck & Co., Inc. Demper Birdow v. Merck & Co., Inc., et al.

SCHEDULE CTO-66 - TAG-ALONG ACTIONS (MDL-1657)

Page 2 of 4

DIST. DIV. C.A. # CASE CAPTION

INDIANA SOUTHERN

INS 1 06-1329 Eunice Bey, et al. v. Merck & Co., Inc.

KANSAS

KS 5 06-4104 Betty A. Bernardi v. Merck & Co., Inc.

LOUISIANA WESTERN

LAW 5 06-854 Mitchell E. Jackson, et al. v. Merck & Co., Inc.

MASSACHUSETTS

MA 4 06-40192 Frederick J. Grasso v. Merck & Co., Inc.

MARYLAND

MD 1 06-2294 Charles Stottlemyer, et al. v. Merck & Co., Inc.

MICHIGAN EASTERN

MIE 2 06-14054 Elizabeth Thompson, et al. v. Merck & Co., Inc.

**MINNESOTA** 

 MN
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 06-3569
 Valerie Novak, et al. v. Merck & Co., Inc.

 MN
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 06-3708
 Peggy T. Owens, etc. v. Merck & Co., Inc.

 MN
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 06-3720
 Bobby Wilson, etc. v. Merck & Co., Inc.

 MN
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 06-3721
 James O. Hortman, etc. v. Merck & Co., Inc.

MISSOURI EASTERN

MOE 4 06-1322 Victor Wright, et al. v. Merck & Co., Inc.

MISSISSIPPI NORTHERN

MSN 1 06-246 Betty Jo Miller, et al. v. Merck & Co., Inc.
MSN 1 06-248 Joann G. Sansing, et al. v. Merck & Co., Inc.

MSN 3 06-121 Judy Nabors v. Merck & Co., Inc.

MISSISSIPPI SOUTHERN

MSS 2 06-204 Maurice F. Moore v. Merck & Co., Inc.

NORTH CAROLINA WESTERN

NCW 5 06-113 Joyce W. Yelton v. Merck & Co., Inc.

**NEBRASKA** 

NE 4 06-3209 Ivan N. Nord, et al. v. Merck & Co., Inc.
NE 4 06-3210 Ronald D. Elznic, et al. v. Merck & Co., Inc.
NE 8 06-574 Richard Romine, etc. v. Merck & Co., Inc.
NE 8 06-583 Carlose Talkington, etc. v. Merck & Co., Inc.
NE 8 06-591 Kathleen R. Skiles, etc. v. Merck & Co., Inc.

**NEW JERSEY** 

NJ 1 06-4163 County of Santa Clara v. Merck & Co., Inc.
NJ 3 06-4121 James Dunar, et al. v. Merck & Co., Inc.

NEW YORK SOUTHERN

NYS 1 06-6663 Mary Lopez, etc. v. Merck & Co., Inc.

NEW YORK WESTERN

NYW 6 06-6445 Leann M. Williams v. Merck & Co., Inc.

DIST. D	IV	. C.A. #	CASE CAPTION	
OHIO NORTHERN				
		06-2149	Michelle Collins v. Merck & Co., Inc.	
		06-2163	Juan Candelario, et al. v. Merck & Co., Inc.	
OHN	1	06-2164	Catherine Miller, et al. v. Merck & Co., Inc.	
		06-2182	Valerie V. Rucker, etc. v. Merck & Co., Inc.	
		06-2160	Norma Bielski v. Merck & Co., Inc.	
OHIO S	<b>Ω</b> Τ.	TTHEDNI		
OHIO SO			Ican Maria Stanan v. Marak & Co. Inc	
		06-583	Jean Marie Stoner v. Merck & Co., Inc.	
OHS	2	06-716	Iva L. Charbonneau v. Merck & Co., Inc.	
		MA NORTHERN		
OKN			Elvus J. Farrow, et al. v. Merck & Co., Inc.	
OKN	4	06-480	Jimmy Moore v. Merck & Co., Inc.	
OKLAH	ON	MA WESTERN		
OKW :	5	06-903	Mary Roy v. Merck & Co., Inc.	
OKW :	5	06-907	Ora Mae Dame v. Merck & Co., Inc.	
OKW :	5	06-908	Kenneth Dare v. Merck & Co., Inc.	
OKW :			Bruce Havens v. Merck & Co., Inc.	
OKW :			Tom Smith, etc.v . Merck & Co., Inc.	
PENNSYLVANIA EASTERN				
		06-3774	Israel Rosa, et al. v. Merck & Co., Inc.	
		06-3835	Armand Coco v. Merck & Co., Inc.	
		06-3870	Attilio Paparazzo, etc. v. Merck & Co., Inc., et al.	
			Maricus Willis, et al. v. Merck & Co., Inc., et al.	
		06-3871		
		06-3874	Gary L. Davis, et al. v. Merck & Co., Inc., et al.	
		06-3949	Shirley F. Shaw, et al. v. Merck & Co., Inc., et al.	
		06-3950	Elizabeth C. Fortune, et al. v. Merck & Co., et al.	
		06-3951	Yiniva Gomez v. Merck & Co., Inc., et al.	
		06-3965	Joseph B. Moore, et al. v. Merck & Co., Inc.	
		06-3975	Pennie Freet, et al. v. Merck & Co., Inc.	
PAE	2	06-4124	Joseph Everts, et al. v. Merck & Co., Inc., et al.	
PENNSYLVANIA WESTERN				
		06-1159	Clifford D. Hardt v. Merck & Co., Inc.	
PAW	2	06-1160	Patricia L. McCarey v. Merck & Co., Inc.	
PAW	2	06-1161	James R. Richeimer v. Merck & Co., Inc.	
SOUTH CAROLINA				
SC	7	06-2364	Robert C. Bridges, et al. v. Merck & Co., Inc.	
TEXAS	EΔ	STERN		
	1	06-556	Louie Kee, Jr., et al. v. Merck & Co., Inc.	
	2	06-360	William H. Hundley, et al. v. Merck & Co., Inc.	
		06-361	Charles Spence, et al. v. Merck & Co., Inc.	
		06-362	Andrew Wilk, et al. v. Merck & Co., Inc.	
		06-363	Danny King, et al. v. Merck & Co., Inc.	
	2		Cleatus W. Drinnon, et al. v. Merck & Co., Inc.	
TEXAS SOUTHERN				
			Calla Carra Carria et al a Maria de Carra	
	2		Celia Garza Garcia, et al. v. Merck & Co., Inc., et al.	
	7	06-252 06-254	Josefa R. Garces, et al. v. Merck & Co., Inc., et al.	
TXS	7	00-23 <del>4</del>	Yolanda Munoz, etc. v. Merck & Co., Inc., et al.	

#### 8:06-cv-00574-LES-TDT Doc # 9 Filed: 10/05/06 Page 5 of 8 - Page ID # 114

SCHEDULE CTO-66 - TAG-ALONG ACTIONS (MDL-1657)

Page 4 of 4

DIST. DIV. C.A. #	CASE CAPTION
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**TEXAS WESTERN** 

TXW 5 06-745 Olga Galvan v. Merck & Co., Inc.

WASHINGTON WESTERN

WAW 2 06-1252 Doris Gibson, et al. v. Merck & Co., Inc. WAW 3 06-5528 Craig S. Hobbs, et al. v. Merck & Co., Inc.

#### WEST VIRGINIA SOUTHERN

WVS	2	06-676	Steve Rappold v. Merck & Co., Inc.
WVS	2	06-677	Warne L. Ferguson v. Merck & Co., Inc.
WVS	2	06-678	Roderick Rappold v. Merck & Co., Inc.
WVS	2	06-679	Leslie E. Adams, Sr. v. Merck & Co., Inc.
WVS	2	06-714	Russell Clayton Clark v. Merck & Co., Inc., et al.
WVS	3	06-364	Robert Lee Dolin, etc. v. Merck & Co., Inc.
WVS	3	06-365	Robert L. Clark v. Merck & Co., Inc.
WVS	3	06-493	David Lee Lester, et al. v. Merck & Co., Inc.
WVS	3	06-494	Boyd Leroy Dunn, et al. v. Merck & Co., Inc.
WVS	3	06-495	Ardella Adkins v. Merck & Co., Inc.
WVS	3	06-680	Jimmy Hardwick v. Merck & Co., Inc.

#### WYOMING

WY 2 06-214 Mary J. Morrison, etc. v. Merck & Co., Inc.

## INVOLVED JUDGES LIST (CTO-66) DOCKET NO. 1657 IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

Hon. Henry Lee Adams, Jr. U.S. District Judge United States District Court 11-200 U.S. Courthouse 300 N. Hogan Street Jacksonville, FL 32202-4204

Hon. Ann Aldrich Senior U.S. District Judge 17B Carl B. Stokes U.S. Courthouse 801 W. Superior Avenue Cleveland, OH 44113-1839

Hon. Donetta W. Ambrose Chief Judge, U.S. District Court 3280 U.S. Post Office & Courthouse 700 Grant Street Pittsburgh, PA 15219-1906

Hon Joseph F. Anderson, Jr. Chief Judge, U.S. District Court P.O. Box 447 Columbia, SC 29202-0447

Hon. Robert R. Armstrong, Jr. U.S. Magistrate Judge 274 Hugo L. Black U.S. Courthouse 1729 5th Avenue, North Birmingham, AL 35203

Hon. Sarah Evans Barker U.S. District Judge 210 Birch Bayh Federal Building & U.S. Courthouse 46 East Ohio Street Indianapolis, IN 46204

Hon. Samuel F. Biery U.S. District Judge John H. Wood, Jr., U.S. Courthouse 655 East Durango Boulevard San Antonio, TX 78206-1198

Hon. Clarence A. Brimmer U.S. District Judge 2120 Capitol Avenue Room 2603 Cheyenne, WY 82001 Hon. Renee M. Bumb U.S. District Judge 6050 Mitchell H. Cohen U.S. Courthouse 400 Cooper Street Camden, NJ 08102-1570

Hon. Garland E. Burrell, Jr. U.S. District Judge 501 1 Street Suite 13-200 Sacramento, CA 95814

Hon. Laurie Smith Camp U.S. District Judge 3210 Roman L. Hruska U.S. Courthouse 111 South 18th Plaza Omaha, NE 68102

Hon. James G. Carr Chief Judge, U.S. District Court 210 U.S. Courthouse 1716 Spielbusch Avenue Toledo, OH 43624

Hon. Robin J. Cauthron Chief Judge, U.S. District Court 3301 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102

Hon. Edward M. Chen U.S. Magistrate Judge Phill Burton U.S. Courthouse 450 Golden Gate Avenue Box 36060 San Francisco, CA 94102

Hon. Joy Flowers Conti U.S. District Judge 5250 U.S. Post Office & Courthouse 700 Grant Street Pittsburgh, PA 15219

Hon. Mary L. Cooper U.S. District Judge 5000 Clarkson S. Fisher Federal Bldg. & U.S. Courthouse, 402 E. State Street Trenton, NJ 08608 Hon. Sean F. Cox U.S. District Judge United States District Court 235 Theodore Levin U.S. Courthouse 231 West Lafayette Blvd. Detroit, MI 48226

Hon. Randy Crane U.S. District Judge U.S. District Court 1701 W. Business Highway 83 Suite 928 McAllen, TX 78501

Hon. Marcia A. Crone U.S. District Judge U.S. District Court P.O. Box 1470 Beaumont, TX 77706

Hon. Sam A. Crow Senior U.S. District Judge 430 Frank Carlson Fed. Building U.S. Courthouse 444 Southeast Quincy Street Topeka, KS 66683

Hon. Stewart Dalzell U.S. District Judge 5614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106

Hon. George B. Daniels U.S. District Judge 630 Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007

Hon. Leonard E. Davis U.S. District Judge United States District Court 106 Federal Building 211 West Ferguson Street Tyler, TX 75702

Hon. Claire V. Eagan Chief Judge, U.S. District Court 411 Page Belcher Federal Bldg. & U.S. Courthouse 333 West Fourth Street Tulsa, OK 74103 Hon. Joan N. Ericksen U.S. District Judge 12W U.S. Courthouse 300 South 4th Street Minneapolis, MN 55415

Hon. David A. Ezra U.S. District Judge C-400 Prince Kuhio Federal Building 300 Ala Moana Boulevard Honolulu, HI 96850

Hon. David A. Faber Chief Judge, U.S. District Court 601 Federal Street Room 2303 Bluefield, WV 24701

Hon. David Folsom U.S. District Judge 309 U.S. Courthouse & Post Office 500 N. State Line Avenue Texarkana, TX 71854-5957

Hon. Donovan W. Frank
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738 Warren E. Burger Federal Bldg.
316 North Robert Street
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Hon. Patricia A. Gaughan U.S. District Judge 19B Carl B. Stokes U.S. Courthouse 801 West Superior Avenue Cleveland, OH 44113-1835

Hon. James T. Giles U.S. District Judge 17614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1797

Hon. Helen W. Gillmor Chief Judge, U.S. District Court C-400 Prince Kuhio Federal Building 300 Ala Moana Boulevard Honolulu, H1 96850-0001

Hon. Donald L. Graham U.S. District Judge U.S. District Court 99 N.E. Fourth Street, Room 1155 Miami, FL 33132

Hon. S. Maurice Hicks, Jr. U.S. District Judge 5226 United States Courthouse 300 Fannin Street, Suite 5226 Shreveport, LA 71101 Hon. Ricardo H. Hinojosa U.S. District Judge 1701 W. Business Highway 83 Bentsen Tower Suite 1028 McAllen, TX 78502

Hon. Virginia Emerson Hopkins U.S. District Judge U.S. District Court 619 Hugo L. Black U.S. Courthouse 1729 Fifth Avenue, North Birmingham, AL 35203

Hon. Janis Graham Jack U.S. District Judge 320 U.S. Courthouse 1133 North Shoreline Boulevard Corpus Christi, TX 78401

Hon. Inge P. Johnson U.S. District Judge 361 Hugo L. Black U.S. Courthouse 1729 5th Avenue North Birmingham, AL 35203

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Hon. Terence C. Kern U.S. District Judge 411 Page Belcher Federal Bldg. & U.S. Courthouse 333 West 4th Street Tulsa, OK 74103-3819

Hon. Richard H. Kyle Senior U.S. District Judge 760 Warren E. Burger Federal Bldg. 316 N. Robert Street St. Paul, MN 55101

Hon. David G. Larimer U.S. District Judge 250 Kenneth B. Keating Fed. Bldg. 100 State Street Rochester, NY 14614-1324

Hon. Benson Everett Legg Chief Judge, U.S. District Court 7A Edward A. Garmatz Federal Building & U.S. Courthouse 101 West Lombard Street Baltimore, MD 21201-2605 Hon. Ronald B. Leighton U.S. District Judge U.S. District Court 3409 U.S. Courthouse 1717 Pacific Avenue Tacoma, WA 98402

Hon. Harry D. Leinenweber U.S. District Judge Everett McKinley Dirksen U.S. Courthouse 219 South Dearborn Street Chicago, IL 60604

Hon. Tim Leonard Senior U.S. District Judge 5012 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102

Hon. David F. Levi Chief Judge, U.S. District Court 14-200 United States Courthouse 501 I Street Sacramento, CA 95814-2322

Hon. Edward J. Lodge U.S. District Judge James A. McClure Federal Building & U.S. Courthouse 550 West Fort Street Boise, ID 83724-0101

Hon. Paul A. Magnuson Senior U.S. District Judge 730 Warren E. Burger Federal Building 316 North Robert Street St. Paul, MN 55101

Hon. Mary A. McLaughlin U.S. District Judge 3809 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1714

Hon. Steven D. Merryday U.S. District Judge 15A Sam M. Gibbons U.S. Courthouse 801 North Florida Avenue Tampa, FL 33602

Hon. Vicki Miles-LaGrange U.S. District Judge 5011 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102 Hon. Michael P. Mills U.S. District Judge 335 Federal Bldg. & U.S. Courthouse 911 Jackson Avenue, West Oxford, MS 38655

Hon. John H. Moore, II Senior U.S. District Judge 300 N. Hogan Street Suite 11-400 Jacksonville, FL 32202

Hon. Harold L. Murphy U.S. District Judge P.O. Drawer 53 Rome, GA 30162-0053

Hon. Charles R. Norgle, Sr. U.S. District Judge 2346 Everett McKinley Dirksen U.S. Courthouse 219 South Dearborn Street Chicago, IL 60604

Hon. Dan A. Polster U.S. District Judge 18B Carl B. Stokes U.S. Courthouse 801 W. Superior Avenue Cleveland, OH 44113

Hon. R. David Proctor U.S. District Judge 730 Hugo L. Black U.S. Courthouse 1729 Fifth Avenue North Birmingham, AL 35203

Hon. Robert B. Propst Senior U.S. District Judge P.O. Box 820 Anniston, AL 36202

Hon. James L. Robart U.S. District Judge 14134 U.S. Courthouse 700 Stewart Street Seattle, WA 98101-1290

Hon. Eduardo C. Robreno U.S. District Judge 11614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1745 Hon. Edmund A. Sargus, Jr. U.S. District Judge 302 Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, OH 43215

Hon. F. Dennis Saylor, IV U.S. District Judge 411 Harold D. Donohue Federal Building & U.S. Courthouse 595 Main Street Worcester, MA 01608

Hon. Arthur J. Schwab U.S. District Judge 7280 United States Post Office & Courthouse 700 Grant Street Pittsburgh, PA 15219

Hon. William B. Shubb Senior U.S. District Judge 14-200 United States Courthouse 501 I Street Sacramento, CA 95814-2322

Hon. Rodney W. Sippel U.S. District Judge 10S Thomas F. Eagleton U.S. Courthouse 111 South Tenth Street St. Louis, MO 63102-1116

Hon. C. Lynwood Smith, Jr. U.S. District Judge 207 U.S. Post Office & Courthouse 101 Holmes Avenue, N.E. Huntsville, AL 35801

Hon. Keith Starrett U.S. District Judge U.S. District Court 228 U.S. Courthouse Federal Bldg. 701 N. Main Street Hattiesburg, MS 39401

Hon. Lawrence F. Stengel U.S. District Judge United States District Court 18316 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1796 Hon. Lyle E. Strom Senior U.S. District Judge 3190 Roman L. Hruska U.S. Courthouse 111 South 18th Plaza Omaha, NE 68102

Hon. R. Barclay Surrick U.S. District Judge 8614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1796

Hon. Alvin W. Thompson U.S. District Judge Abraham Ribicoff Federal Building & U.S. Courthouse 450 Main Street Hartford, CT 06103

Hon. Ralph G. Thompson Senior U.S. District Judge 3301 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102

Hon. Richard L. Voorhees U.S. District Judge 250 Charles Jonas Federal Building 401 West Trade Street Charlotte, NC 28202

Hon. Herman J. Weber Senior U.S. District Judge 801 Potter Stewart U.S. Courthouse 100 East Fifth Street Cincinnati, OH 45202

Hon. Lee R. West Senior U.S. District Judge 3001 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102